

County State Delegation Meeting

November 7, 2005 – 9 AM

(Reconvened from Oct 31, 2005)

Place: Newport County Complex, Jury Assembly Room

STATE COUNTY DELEGATES ATTENDING:

Rep. John Cloutier
Rep. Larry Converse
Rep. Thomas Donovan
Rep. Brenda Ferland
Rep. Peter Franklin
Rep. Christopher Irish

Rep. Harry S. Gale, Jr.
Rep. Charlotte Houde-Quimby
Rep. Joseph Osgood
Rep. Beverly Rodeschin
Rep. Arthur Jillette, Jr.
Rep. James Phinizy

OTHER ATTENDEES: *County Commissioner Ethel Jarvis (left later), Sharon Johnson-Callum Commissioners Office Administrative Assistant (left later), member of the press and the general public. County Registrar of Deed – Sharron King (arrived later), as well as the County Attorney – Marc Hathaway (arrived later).*

9:03 AM Rep. John Cloutier, Delegation Chair, led the meeting.

The Chair opened the meeting by announcing that in the future, he was requesting that delegates provide a 7-day notice and copies of any written presentations to the delegation. He expressed a wish that he not be “blindsided” by materials that would require extensive research to respond to, or require that individuals be given advance notice so that they have an opportunity to defend themselves in open session, or to request a closed session in accordance with state law. Rep. Franklin stated that he felt a seven-day notice is not warranted. Rep. Irish felt that it should be a decision of the Delegation as to adding items to the agenda. Rep. Phinizy indicated that he would observe the request of the Chair, but reserve the right to bring up any issue as required even without a seven-day notice. Rep. Donovan noted that citizens have a right to present any subject they wish to the Delegation. Rep. Rodeschin noted that Newport provides a time for citizen input, which may be discussed at a later meeting. Rep. Converse noted we should ask the public to follow the Chairs’ request. Rep. Cloutier noted that he was concerned with protecting the Delegation from lawsuits from employees etc. Rep. Rodeschin noted that she felt that Rep. Franklin’s presentation was in no way harmful to the County Staff. Some delegates took exception to the Commissioner’s letter of response (copy attached and on file in meeting minute binder). They noted that there was only one Commissioner present who indicated that she was not present at any meeting that generated the letter of response. Rep. Franklin indicated a desire to review the Commissioners letter and respond to it.

9:30 Rep. Ferland moved to go into non-public session in accordance with RSA 91A. Rep. Rodeschin expressed her objection to this motion. Rep. Osgood also objects to a non-public session. Rep. Irish spoke in favor of a non-public session. **Question called by Phinizy, 2nd Irish. Question called by voice vote. Roll call vote on the question was held. Roll Call of motion by Rep. Ferland seconded by Irish: Converse NO, Ferland YES, Jillette YES, Donovan YES, Houde-Quimby YES, Irish YES,**

Franklin NO, Gale YES, Osgood NO, Rodeschin NO, Phinizy YES, Cloutier YES. Roll call vote was 8-4 in favor of a non-public session. Room was cleared and Delegation went into non-public session.

Commissioner Jarvis, Sharon Johnson-Callum, and member of press left room and closed door.

During the non-public session the Delegation attempted to deal with developing a plan for responding to Rep. Franklin's written charges and evidences. No formal decisions or votes were taken during this session.

Irish moved and Phinizy 2nd to come out of Non-Public Session. Delegation voted 12-0 in favor of coming out of non-public session at 10:05 AM

Rep. Ferland had to leave due to other pressing business.

At 10:06 AM, Rep. Gale proposed the following motion, which was seconded by Representative Irish:

"I move that this delegation determine that the assertions, submissions and accusations by Representative Franklin are without substance or merit and that we place them on file without any specific findings and further that the Chair appoint a three person Dispute Resolutions Committee to hear any claims, assertions or accusations and that any findings or recommendations by that committee will require ratification by our full delegation to have any force or effect." Rep Gale indicated he would be willing to serve on such a committee. Rep. Phinizy noted that we already have a grievance committee. He felt that the question should be divided. Rep. Gale noted that he was not making a motion to wipe out Rep. Franklins assertions but rather feels that a dispute resolution committee is the way to go. **10:17 AM: Motion to divide the question was made by Rep. Phinizy, 2nd by Rep. Gale Motion to divide the question passed on a voice vote 10-1 with one nay vote expressed.**

Rep. Phinizy moved, and Rep. Donovan seconded, to establish a separate three-person committee. Rep. Franklin expressed a concern that Rep. Gale's motion would not allow his issues to be heard by such a committee. Rep. Phinizy stated that this is simply a motion to create a Dispute Resolution Committee. It was suggested by Gale and by Irish to refer to the committee as a Dispute Resolutions Committee. There was further discussion of the motion and it's implications. Question moved by Reps. Gale and Irish passed by a voice vote of 9-3. At 10:37 Motion to create the Dispute Resolutions Committee was voted on and passed by a roll call vote of 11-0.

Rep. Irish moved and Rep. Phinizy seconded, that the Delegation forward the assertions, submissions and accusations for by Rep. Franklin to this newly formed Dispute Resolutions Committee for review, findings and recommendations. Rep. Osgood felt that this would insure Rep. Franklin a fair hearing. Motion passed at 10:50 AM: 11-00 in favor of making the motion as amended.. Motion on the resolution passed 10-1 on a role call vote with Rep Converse voting NO.

Chair Cloutier appointed Reps. Gale, Donovan and Rodeschin to the Dispute Resolution Committee.

The Chair noted that Rep. Ferland suggests that the Delegation meet monthly. It was suggested that the next meeting be on December 30th. Rep. Rodeschin suggests we check with other counties as to how often their delegations meet.

New Business

Sharon King, Registrar of Deeds came before the Delegation to inform them of a move by the county administration to co-opt space in the Registry of Deeds office to create office space for the County Attorney. She wanted the delegation to be aware that unless extensive remodeling was done, she felt the security of her computer system would be compromised. At this point, Rep. Irish accused the delegation of allowing them to be drawn into micromanaging county administration. He admonished Registrar King for bringing the subject directly to the delegation for consideration. Registrar King pointed out to Rep. Irish that she was an elected official the same as Mr. Irish and that she did not work under the supervision of the County Administrator. She is however, subject to decisions of the County Administrator regarding space allocations, and if and when she has issues, she has every right to bring them before the County Delegation. For the record I want you to know that I have brought these issues to the County Commissioners as well. Rep. Osgood thanked Registrar King for the heads up. Rep. Irish stated that we have no right to raise this issue. Rep. Gale suggested that the Chair ask the County Administration and Registrar of Deeds to provide us with a report regarding the resolution of these issues.

11:45 Mr. Hathaway entered the room.

At 11:47 It was moved by Rep. Gale seconded by Rep. Irish to refer the matter of the Registry of Deeds space to the County Commissioners and request that the Commissioners call a meeting of the building committee within 30 days together with Ms. King and Mr. Hathaway to resolve the issues in a satisfactory manner and report back to the Delegation. A discussion ensued. Rep. Rodeschin questioned where the money would come from. Mr. Hathaway suggested that unexpended funds from an adjustment to his salary account line item (due to the delay in hiring an Asst. County Attorney) could be used. Rep. Osgood felt that this is an internal issue and we should not be micromanaging it. This is a FYI issue – let it flow. Rep. Rodeschin felt that if there is a possibility for extra costs, we should know about it. Rep. Franklin felt it was a proper issue to bring before the Delegation. **Question called –voice vote - ayes in favor. Vote on motion –Voice Vote - Ayes in favor.**

Other Business

Rep. Cloutier passed out copies of the *Trust Fund Committee Report*.

Rep. Donovan expressed his frustration that a sports channel has not been added to the TV service at the County Home.

Rep. Irish moved and Rep. Donovan seconded to adjourn the meeting. Voice Vote Motion passed. Meeting adjourned at 12:10 PM

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Arthur Jillette Jr.", with a stylized flourish at the end.

*Arthur Jillette Jr., Clerk
Sullivan County State Delegation*